

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSEPH J. HAUKE ,

Petitioner,

v.

STATE OF WISCONSIN, et al.

Respondent.

ORDER

Case No. 24-cv-233-wmc

Petitioner Joseph J. Hauke has filed an petition titled Federal Habeas Corpus Writ of Mandamus Motion to Dismiss/Acquittal. Petitioner requests leave to proceed without prepayment of the filing fee. Petitioner has supported this request with an affidavit of indigency and an inmate account statement from the institution.

In determining whether to allow an inmate to proceed without prepayment, this court uses the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from petitioner's account statement, I find that petitioner is able to pay the filing fee. Accordingly, I will deny petitioner's application for leave to proceed without prepayment of the filing fee. To proceed further on this habeas petition, petitioner must pay the \$5 filing fee. If petitioner fails to pay the fee by May 10, 2024, the petition, I will assume that petition wishes to withdraw this petition.

ORDER

IT IS ORDERED that:

1. Petitioner Joseph J. Hauke's motion for leave to proceed without prepayment of the filing fee is DENIED. Petitioner has until May 10, 2024 in which to pay the \$5 filing fee.

2. If by May 10, 2024 petitioner fails to submit the \$5 filing fee, I will assume that petitioner wishes to withdraw this petition.

Entered this 12th day of April, 2024.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge